



Attorney Docket No. YOR920030423US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): P. Dube et al.  
Docket No.: YOR920030423US1  
Serial No.: 10/718,210  
Filing Date: November 20, 2003  
Group: To Be Assigned  
Examiner: To Be Assigned

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: V. Sencich Date: February 26, 2004

Title: Methods and Apparatus for Managing Computing Resources Based on Yield Management Framework

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants' attorney wishes to bring to the attention of the Patent and Trademark Office the following documents listed on the accompanying Form PTO-1449. A copy of each listed document is enclosed, other than published U.S. patent documents.

U.S. Patent Documents

1. U.S. Application Serial No. 10/316,251, filed in the name of Eilam et al. on December 10, 2002 and entitled "Methods and Apparatus for Dynamic Allocation of Servers to a Plurality of Customers to Maximize the Revenue of a Server Farm."
2. U.S. Application Serial No. 09/832,438, filed in the name of Liu et al. on April 10, 2001 and entitled "Apparatus and Methods for Maximizing Service-Level-Agreement Profits."
3. U.S. Application Serial No. 09/559,065, filed in the name of Goldszmidt et al. on April 28, 2000 and entitled "Method and Apparatus for Dynamically Adjusting Resources Assigned to

Plurality of Customers, for Meeting Service Level Agreements (SLAs) with Minimal Resources, and Allowing Common Pools of Resources to be Used Across Plural Customers on a Demand Basis.”

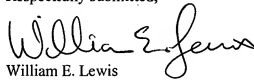
4. U.S. Application Serial No. 09/543,207, filed on April 5, 2000 and entitled “Highly Scalable System and Method of Regulating Internet Traffic to Server Farm to Support (MIN,MAX) Bandwidth Usage-Based Service Level Agreements.”

5. U.S. Patent No. 6,567,824 issued on 05/20/03 to Fox
6. U.S. Patent No. 6,526,392 issued on 02/25/03 to Dietrich et al.
7. U.S. Patent No. 6,101,484 issued on 08/08/00 to Halbert et al.
8. U.S. Patent No. 6,085,164 issued on 07/04/00 to Smith et al.
9. U.S. Patent No. 5,255,184 issued on 10/19/93 to Hornick et al.
10. U.S. Patent No. 5,270,921 issued on 12/14/93 to Hornick

It is believed that there is no fee due in conjunction with the filing of this Information Disclosure Statement. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **International Business Machines Corporation Deposit Account No. 50-0510** as required to correct the error.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited is considered to be material to patentability, or as a representation that no other material information exists.

Respectfully submitted,



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Date: February 26, 2004

## FORM PTO-1449 (MODIFIED)

LIST OF PUBLICATIONS FOR  
APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT

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## U.S. PATENT DOCUMENTS

EXAMINER				FILING DATE	
INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUBCLASS	IF APPROPRIATE
/B.P./	1. 10/316,251	12/10/02	Eilam et al.		
	2. 09/832,438	04/10/01	Liu et al.		
	3. 09/559,065	04/28/00	Goldszmidt et al.		
	4. 09/543,207	04/05/00			
	5. 6,567,824	05/20/03	Fox		
	6. 6,526,392	02/25/03	Dietrich et al.		
	7. 6,101,484	08/08/00	Halbert et al.		
	8. 6,085,164	07/04/00	Smith et al.		
	9. 5,255,184	10/19/93	Hornick et al.		
↓	10. 5,270,921	12/14/93	Hornick		

## FOREIGN PATENT DOCUMENTS

EXAMINER				TRANSLATION	
INITIAL	DOCUMENT NO.	DATE	COUNTRY	CLASS/SUBCLASS	YES NO

## OTHER DOCUMENTS

EXAMINER			
INITIAL	REF NO.	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.	

Examiner  
 /Brandi Parker/

Date Considered  
 02/05/2008

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.